

**In the United States Patent and Trademark Office**

Gp/1743  
SA#  
#7  
10 OCT 28 2002  
RECEIVED  
TC 1700

Applicants: Barry J. Marshall et al. Docket No.: 17127A  
Serial No.: 09/977,546 Group: 1743  
Confirmation No: 3538 Examiner: *Handy*  
Filed: October 15, 2001 Date: October 18, 2002  
For: ~~SYSTEMS FOR PERFORMING MULTIPLE DIAGNOSTIC TESTS~~

**Information Disclosure Statement Pursuant to 37 C.F.R. 1.97(b)  
Before First Office Action or Within Three Months of Filing Date**

ASSISTANT COMMISSIONER FOR PATENTS

Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. 1.56 and in accordance with 37 C.F.R. 1.97 et seq., Applicants, through and by their attorneys, hereby wish to direct the Examiner's attention to the documents listed on the modified PTO 1449 Form and the copies of those documents presented herewith for the Examiner's review and convenience.

By inclusion of any given document in this Information Disclosure Statement, Applicants in no way admit that such document is effective as prior art against the above-identified application under either 35 U.S.C. 102 or 35 U.S.C. 103.

Additionally, submission of any document is not to be taken as an admission of the materiality of the document to the prosecution of the present application.

The Examiner is requested to review each cited document and personally determine its prior art status.

Applicants recommend that the Examiner conduct an independent search for any and all available material prior art and independently review the results of such search and the documents cited within this Statement.

Applicants request the Examiner, in accordance with 37 C.F.R. 1.97, to indicate and make of record receipt and review of all of these documents by initialing the appropriate box in the accompanying PTO-1449. Applicants request that the undersigned receive a copy of the initialed PTO-1449.


If the Examiner refuses to consider any or all of the herein submitted materials because it is the Examiner's opinion that this Information Disclosure Statement is not in compliance with 37 C.F.R. 1.97, Applicants respectfully request that the Examiner notify the undersigned, in writing, as to the basis of such opinion.

Please charge any prosecutorial fees which are due to Kimberly-Clark Worldwide, Inc. deposit account number 11-0875:

The undersigned may be reached at: (770) 587-7183.

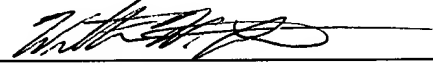
Respectfully submitted,

BARRY J. MARSHALL ET AL.

By:   
William W. Letson  
Registration No.: 42,797

#### CERTIFICATE OF MAILING

I, William W. Letson, hereby certify that on October 18, 2002, this document is being deposited with the United States Postal Service as first-class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

By:   
William W. Letson



## List of Patents and Publications for Information Disclosure Statement

Applicant(s): Barry J. Marshall et al.  
Serial No.: 09/977,546  
Filed: October 15, 2001

Docket No.: 17127A  
Group: 1743  
Examiner:

RECEIVED

OCT 28 2002

TC 1700

U.S. PATENT DOCUMENTS							
Initials		Doc. No.	Date	Name	Class	Subclass	Filing Date
	A1	D288,716	03/10/87	Covell et al.			
	A2	D301,371	05/30/89	Kaprelian			
	A3	D331,800	12/15/92	Han			
	A4	D419,238	01/18/00	Maissami			
	A5	D452,936	01/08/02	Grisoni			
	A6	3,653,389	04/04/72	Shannon			
	A7	4,160,505	07/10/79	Rauschenberger			
	A8	4,226,328	10/07/80	Beddow			
	A9	4,293,074	10/06/81	Dunsky			
	A10	4,736,850	04/12/88	Bowman et al.			
	A11	5,238,651	08/24/93	Chuba			
	A12	5,449,071	09/12/95	Levy			
	A13	5,494,162	02/27/96	Treace et al.			
	A14	6,116,426	09/12/00	Slonim			
	A15	6,309,818	10/30/01	Malinda et al.			

Foreign Patent Documents								
Initials		Doc. No.	Date	Country	Class	Subclass	Trans.	
							Yes	No
	A1	0606651 A2	07/20/94	EP			X	
	A2	0721898 A1	07/17/96	EP				X
	A3							

Other Documents		
Initials		Author, Title, Date, Pages, etc.
	A1	Abstract EP 0721898 A1, Neumeyer E S, 7/17/96
	A2	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with your next communication.

Examiner:

Date Considered: